

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
SW/S Klosterman Ave., 650 ft.
+/- E of Belair Road * ZONING COMMISSIONER
4243 Klosterman Avenue
14th Election District * OF BALTIMORE COUNTY
5th Councilmanic District
Columbus Club of Overlea, Inc. * Case No. 97-421-A
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 4243 Klosterman Avenue in the Overlea community of Baltimore County. The Petition was filed by the Columbus Club of Overlea, Inc., an entity more well known as the Knights of Columbus, property owner. Variance relief is requested, pursuant to Section 409.6 of the Baltimore County Zoning Regulations (BCZR), to permit 0 parking spaces in lieu of the required 69 spaces (an additional variance of 69 parking spaces) for a proposed addition and to amend the last approved zoning site plan in case No. 88-428A. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was Charles J. Zorbach, Sr., President of the Columbus Club of Overlea, Inc., property owner. Also present was Paul Lee, the engineer who prepared the site plan. The Petitioner was represented by Phillip L. Asplen, Jr., Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is 9.661 acres in area, zoned D.R.5.5. The property is an irregularly shaped tract, with frontage on Klosterman Avenue, not far from Belair Road in Overlea. The property is improved with an existing 16,174 sq. ft. building and an associated parking lot which contains 251 parking spaces. The building is owned and utilized by the Knights of Columbus, a civic/social

ORDER RECEIVED FOR FILING

Date

By

5/22/97
M. J. Zorbach

organization well known to this Zoning Commissioner.

Additional testimony was that the property owner initially obtained approval for construction of the building and related parking in case No. 88-428-A. A parking variance was granted in that case, to allow fewer spaces than required under the zoning regulations. Additional testimony was that the building is used primarily for meetings of the Knights of Columbus membership, social functions hosted by that organization and also rented for private affairs, such as weddings, anniversary parties, etc. The one story building on the site is divided into several rooms to accommodate these functions.

Mr. Zorbach testified that storage is a problem in the building. Specifically, he indicated that tables and chairs used by the organization are frequently shuffled from one room to the next to accommodate the different uses. He also indicated that frequently the tables and chairs are stored outside. In order to address this difficulty, a proposed addition of 3,420 sq. ft is proposed. The addition will be located on the northwest side of the building as shown on the site plan. Mr. Zorbach testified that the additional space will not be used for any purpose other than storage. That is, the room will not be used to hold additional meetings, social gatherings, nor will same be rented. Rather, the room will be totally dedicated to storing of tables, chairs and other furniture used by the organization.

For this reason, the Petitioner does not envision any increase in the number of cars visiting the site. Therefore, the Petitioner does not believe that an enlargement of the parking area is appropriate. In this regard, testimony presented was that a number of parking spaces available is more than sufficient to accommodate the use of the building. In particular, it was noted that the building is never fully used as a single time;

ORDER RECEIVED FOR FILING

Date

By

5/22/97
M. Zorbach

that is, organization meetings are not held at the same time that other rooms are rented to the public.

Based upon the testimony and evidence presented, all of which was uncontradicted, I am persuaded to grant the Petition for Variance. In my judgment, the creation of additional macadam surface for use as a parking lot is unwarranted. I am persuaded that the Petitioner has satisfied the requirement of Section 307 of the BCZR as construed by the case law.

As noted at the hearing, a Zoning Plans Advisory Committee (ZAC) comment regarding the Petition was offered from the Development Plans Review Division. This comment indicates that previously approved landscape plan for the site was never implemented. Moreover, that landscape plan must be implemented before any new permits are issued. In this regard, Mr. Lee indicated that he would meet with the County's Landscape Architect to discuss landscaping. Mr. Lee stated that a number of mature trees exist on the site and same is properly buffered from adjoining residences. However, as a condition precedent to the passage of this Order, the Petitioner shall obtain approval and implement a landscape plan.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

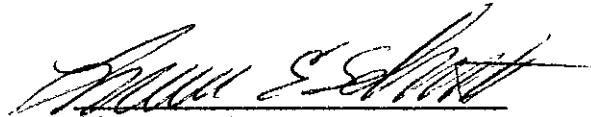
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of May 1997 that a variance from Section 409.6 of the Baltimore County Zoning Regulations (BCZR), to permit 0 parking spaces, in lieu of the required 69 spaces, (an additional variance of 69 parking spaces) for a proposed addition and to amend the last approved zoning site plan in case No. 88-428A, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until

ORDER RECEIVED FOR FILING
Date 5/22/97
By M. G. [Signature]

such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, the Development Plans Review Division dated April 14, 1997, are adopted in their entirety and made a part of this Order. Prior to the issuance of any new permits for construction of the proposed addition, the Petitioner shall obtain approval of a landscape plan for the site and implement the provisions thereof, all at the direction of the County's Landscape Architect.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmm

ORDER RECEIVED FOR FILING
Date 5/22/97
By M. G. Park



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 21, 1997

Philip L. Asplen, Jr., Esquire
8600 LaSalle Road
Towson, Maryland 21204

RE: Case No. 97-421-A
Petition for Variance
Property: 4243 Klosterman Avenue
Columbus Club of Overlea, Inc., Petitioner

Dear Mr. Asplen:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmh
att.

- c: Mr. Charles J. Zorbach, Sr.
P.O. Box 16988
Baltimore, Maryland 21206
- c: Paul Lee Engineering, Inc.
304 W. Pennsylvania Avenue
Towson, Maryland 21204



RE: PETITION FOR VARIANCE
4243 Klosterman Avenue, SW/S Klosterman
Avenue, 650'+/- E of Belair Road
14th Election District, 5th Councilmanic
Columbus Club of Overlea, Inc.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-421-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to Philip L. Asplen, Jr., Esq., 8600 LaSalle Road, Towson, MD 21286, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

#4243 KLOSTERMAN AVENUE

97-421-A

which is presently zoned

DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.6 to permit 0 parking spaces in lieu of the required 69 parking spaces (an additional variance of 69 P.S.) for a proposed addition and to amend the last approved zoning site plan (Case #88-428A).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be addressed at hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expense of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Engineer:

Paul Lee Engineering, Inc.

(Type or Print Name)

Signature

304 W. pennsylvania Avenue

Address

Towson, Maryland 21204

City

State

Zipcode

Attorney for Petitioner

PHILIP L. ASPEN, JR.

(Type or Print Name)

Signature

8600 LA SALLE RD 825-1040

Address

Phone No

Towson, MD 21286

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

Columbus Club of Overlea, Inc.

(Type or Print Name)

Signature

Charles J. Zorbach, Sr. PRES.

(Type or Print Name)

Signature

P.O. Box 16988 377-9798

Address

Phone No

Baltimore, Maryland 21206

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Charles J. Zorbach, Sr.

Name

P.O. Box 16988, Balto., Md. 377-9798

Address

Phone No

21206

OFFICIAL USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

Next Two Months

the following dates

ALL OTHER

REVIEWED BY:

DATE

3/28/97



Printed with Soybean Ink
on Recycled Paper

PLEASE SCHEDULE
AFTER THE 1ST WEEK
OF MAY

A71

410-821-5941

97-421-A

3/24/97

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

001623

JUL 3/28/97

DATE 3/28/97 ACCOUNT R0016150

AMOUNT \$ 250.00

RECEIVED
FROM:

C. Zorba

FOR:

CV FILING

PAID BY CHECK

ON MARCH 28 1997

SP. ON

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 10, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 10, 1997.

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

NOTICE OF HEARINGS
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

488-428-A
COLUMBIUS CLUB OF OVERSEA, INC.
Variance: to permit zero parking spaces in lieu of the required 69 parking spaces for a proposed addition and to amend the last approved zoning site plan (case #88-428-A)
Hearing: Friday, May 9, 1997 at 9:30 a.m., 4th floor hearing room, Courts Bldg., 401 Brasley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for Special accommodations, please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.

4/195 April 10 073045

CERTIFICATE OF POSTING

RE: Case # 97-421-A

Petitioner/Developer:
(Columbus Club of Overlea)
Date of Hearing/~~Closing~~:
(May 9, 1997)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

_____ 4242 Klosterman Ave. , Baltimore, Maryland 21236 _____

The sign(s) were posted on _____ April 24, 1997 _____
(Month, Day, Year)

Sincerely,

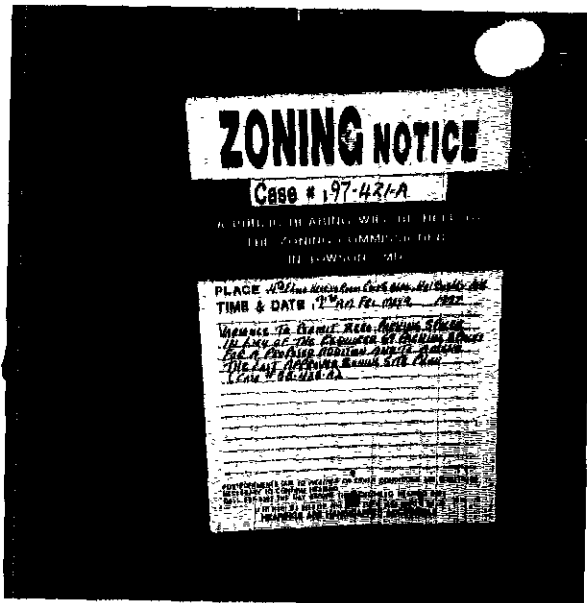

(Signature of Sign Poster & Date)

_____ Thomas P. Ogle, Sr. _____
(Printed Name)

_____ 325 Nicholson Road _____
(Address)

_____ Baltimore, Maryland 21221 _____

_____ (410)-687-8405 _____
(Telephone Number)



97-421-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Ave
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 421

Petitioner: COLUMBUS CLUB OF OVERLEA, INC.

Location: 4243 KLOSTERMAN AVE

PLEASE FORWARD ADVERTISING BILL TO:

NAME: COLUMBUS CLUB OF OVERLEA, INC

ADDRESS: P.O. Box 16988

BALTIMORE, MD 21206

PHONE NUMBER: 377-9798

AJ:ggs

(Revised 09/24/96)

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-421-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: *

DATE AND TIME: *

REQUEST: A VARIANCE TO PERMIT "C" PARKING SPACES IN LIEU
OF THE REQUIRED 67 PARKING SPACES AND TO
AMEND THE LAST APPROVED ZONING SITE PLAN IN
CASE # 88-428-A.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY
April 7, 1997 Issue - Jeffersonian

Please forward billing to:

Columbus Club of Overlea, Inc.
P. O. Box 16988
Baltimore, MD 21206
377-9798

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-421-A
4242 Klostersman Avenue
SW/S Klosterman Avenue, 650'+/- E of Belair Road
14th Election District - 5th Councilmanic
Legal Owner(s): Columbus Club of Overlea, Inc.

Variance to permit zero parking spaces in lieu of the required 69 parking spaces for a proposed addition and to amend the last approved zoning site plan (case #88-428-A).

HEARING: FRIDAY, MAY 9, 1997 at 9:30 a.m., 4th floor hearing room Courts Bldg,, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 7, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-421-A
4242 Klostersman Avenue
SW/S Klosterman Avenue, 650' +/- E of Belair Road
14th Election District - 5th Councilmanic
Legal Owner(s): Columbus Club of Overlea, Inc.

Variance to permit zero parking spaces in lieu of the required 69 parking spaces for a proposed addition and to amend the last approved zoning site plan (case #88-428-A).

HEARING: FRIDAY, MAY 9, 1997 at 9:30 a.m., 4th floor hearing room Courts Bldg., 401 Bosley Avenue.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large, stylized "A" and "J".

Arnold Jablon
Director

cc: Columbus Club of Overlea, Inc.
Paul Lee Engineering, Inc.
Philip L. Aspen, Jr., Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 24, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 6, 1997

Philip L. Asplin, Jr., Esquire
8600 LaSalle Road
Towson, MD 21286

RE: Item No.: 421
Case No.: 97-421-A
Petitioner: Charles J. Zorbach, Sr.

Dear Mr. Asplin:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 28, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 4.4.97
Item No. 421 JLL

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

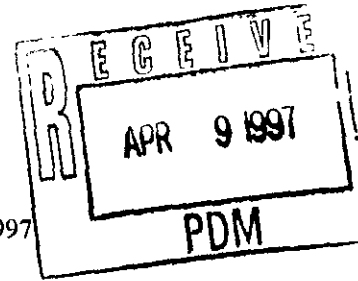
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: April 7, 1997



FROM: Pat Keller
Office of Planning

SUBJECT: Petitions from the Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 411, 416, 417, 421, and 424

Prepared by:

Jeffrey M. Long

Division Chief:

Gary L. Kerns

PK/JL

nocom.wps

INTEROFFICE CORRESPONDENCE

Date: April 14, 1997

[illegible]

ing

Division has reviewed the subject

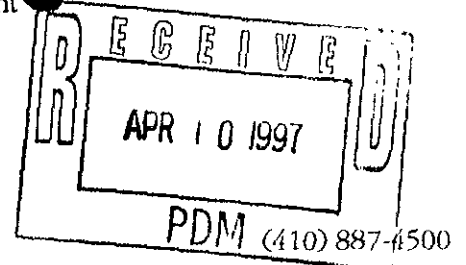
previously approved landscape plan

t be submitted for the proposed

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500



April 9, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: AMOCO OIL COMPANY - 414
LOUIE HAMPTON - 418
FRANK D. MORAN, SR. &
STEPHEN J. MORAN - 419
COLUMBUS CLUB OF OVERLEA, INC. - 421
PADONIA VILLAGE, INC. - 422

Location: DISTRIBUTION MEETING OF APRIL 7, 1997

Item No.: 414, 418, 419, 421 & 422 Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: POM

DATE: April 9, 97

FROM: R. Bruce Seeley *RS/gp*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: April 7, 97

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	410	418
	411	419
		422
	414	<u>421</u>
	417	424

RBS:sp

BRUCE2/DEPRM/TXTSBP

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

PHILIP L. ASPLEN

CHARLES J. ZORBACH SR

Paul Lee

8600 LaSalle Rd, Sect 625 Bldg 21286

222 HOPKINS RD BARTO MD 21212

304 W. LA. AVE 21204



